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Dear Sir/Madam:

The Renewable Energy Transmission Initiative (RETI) has made important progress in defining criteria for the selection of sites for transmission and renewable generation facilities in the Phase 2A Report draft. The Amargosa Conservancy (The Conservancy, or AC) applauds the intensive and collaborative RETI process, inventively conceived to help accelerate the making of difficult and controversial joint generation and transmission siting decisions in the most efficient and least environmentally harmful way. Analyzing the possibilities for renewable energy generation and transmission is exceedingly valuable at a time when our world's climate is changing at ever-increasing rates. However, despite valuable contributions, key issues remain which undercut the value of the RETI's conclusions as an aid to reducing barriers to future siting decisions. AC hopes that, as Report 2A continues to be refined and RETI moves on to its later stages, these concerns will be addressed.

The Amargosa Conservancy is a small Mojave Desert-based conservation organization devoted to preserving the land and beauty of the Amargosa region. The organization's concerns embrace the rich biodiversity, scenic vistas, riparian corridors and desert uplands of this incredible land—as well as the survival of the small human communities of the area that are dependent on tourism.

The Amargosa Conservancy strongly supports major increases in renewable energy generation, but only if sited and operated to minimize harm to natural communities. Given the effort and time it deserves, we believe that new energy infrastructure more than adequate to meet California's renewable portfolio standards (RPS) can be added without further imperiling already threatened desert biodiversity, scarce natural and scenic resources and the struggling human communities.

In our view, this does not mean that the transmission and generation facility siting process must wait years for a full airing of all options before proceeding. Rather, we believe that RETI should fully adopt a "least regrets" analytical path that accelerates approval for projects that are clearly ecologically as well as economically optimal. This means, for example, placing projects in the front of the queue that would use disturbed lands, existing transmission infrastructure, and water saving technology, and denying accelerated handling of those

projects that have asserted priority simply because they were first to request sites on public lands. Our analysis has shown that there are opportunities as the RETI process continues to protect biodiversity, human communities, and California's unique ecosystems, without significantly affecting utility profitability or preventing the fulfillment of the California RPS goals.

Our additional concerns and specific suggestions are discussed below.

Existing Transmission Capabilities Must be Determined

While it may be difficult, RETI should determine the need for new transmission by first analyzing as concretely as possible the capacity of existing transmission facilities, with plausible upgrades and expansions, to accommodate the 2010 and 2020 renewable portfolio goals. It would be foolish to permit the disturbance of new California lands without initially looking to see whether new transmission capabilities are needed at all, and, more importantly, to determine precisely where and on what scale they will be required. While economics would tend to dictate siting generation close to existing transmission lines, the disparate ownership of transmission and assumptions about land prices and availability do not guarantee siting preferences will be proximate to existing transmission. RETI can and should devote additional study to this issue. The RETI SSC has argued that the analysis of existing capacity can be made only later, after the RETI process is largely finished. In our view, the lack of data on utilization of existing capacity is a serious flaw in the RETI conclusions since it precludes the possibility of making any rational judgment on whether RETI's transmission recommendations are optimal.

To help remedy this defect, and at a minimum, an alternative case should be prepared for comparison purposes. RETI should solicit from owners of existing transmission facilities the specific capacity limitations of their existing lines in the areas under consideration and determine if new renewables generation can be added without exceeding capacity--without regard to who owns the lines, and without regard to any increased power from non-renewable sources that may be proposed. Non-discriminatory access to all existing lines should be assumed, along with co-ownership of future transmission lines, reducing the need for duplicative new lines while minimizing costs.

Lastly, without more specific geographic identification for new transmission route proposals, it is difficult to adequately assess the ecological consequences of any particular route.

Land Use Criteria Should be Reevaluated

RETI should place greater focus on evaluating siting options that represent alternatives to the use of large tracts of undisturbed public lands. These options include, for example, distributed generation in urban areas, siting on disturbed public and private lands, and locating plants adjacent to existing transmission lines irrespective of ownership status. It may well be that this analysis will disclose the importance of modifications to existing transmission ownership and access conditions. This analysis would provide a better basis upon which third parties could weight economic and environmental data upon which need

for new large scale renewable generation technology as opposed to other (for example, distributed) generation options. Even if it doesn't, there is no way to be sure without actual study. This is not an option that can or should be ignored.

RETI should also make a particular effort to focus siting on already disturbed lands. The Environmental Working Group noted in the Phase 1B draft that a formal definition of disturbed lands, (especially concerning agricultural lands) was elusive. However, many of these lands comprise extensive parcels in single ownership, are located close to transmission, have available water rights, and would have significantly less severe environmental impacts than untrammeled desert. The Williamson Act is certainly a consideration, but is in many instances not a practical barrier to development of lands, especially where energy facility transaction prices greatly exceed those for fallowed farm lands. Work can easily be done with country government to come to agreements on Williamson. RETI should take prompt steps to further analyze where these lands are, and decide whether there are some specific categories of agricultural lands – as in the case of lands reserved for habitat purposes – that warrant exclusion.

We believe that the criteria for excluding multiple ownership lands – more than 20 owners in 2 square miles – is too restrictive. Many of the locations (in the western Mojave, for example) are subdivided, undeveloped, and in many cases, disturbed or otherwise unimportant for conservation purposes. developed. Close to transmission and with high insolation values, these tend to be excellent locations to site solar plants. Reportedly, values of large unoccupied parcels in the western Mojave have been optioned by IOUs for in excess of $2500 per acre, while prior transfers have often been at values of $500 per acre or less, suggesting that most owners would be amenable to sale. There should be no limitation placed on CREZ locations, or at the very least no presumptive judgments as to their feasibility – it may well be that developing on these sites would be entirely possible. Further, photovoltaic facilities require much smaller acreages (and, incidentally, much less water) than concentrating solar plants to achieve economic size. By making the presumptive technological choice solar thermal, RETI has justified siting options that strongly prefer large contiguous parcels, leading to recommendations that virtually eliminate consideration of smaller private parcels. RETI should avoid arrogating to itself the technological choice and analyze all options on an equal footing.

The goal of RETI is to create a legacy of cheap, responsibly developed renewable power, and making recommendations without taking all of possible development sites into consideration is, as with the holes in transmission analysis, taking a shortcut which will undermine RETI's ability to make comprehensive recommendations which will *truly* be at the lowest economic and environmental cost.

Future Cooperation With Other Initiatives and Organizations

AC is fully supportive of RETI's plans to integrate DRECP's more detailed environmental findings into the analysis done so far. However, we remain concerned by the absence of any detailed explanation of how DRECP's findings will actually be used. Part of the problem lies in the fact that RETI's environmental analysis thus far has been largely subjective. Wherever

possible, quantitative methods and results should be incorporated into the environmental analysis.

Additionally, the conduct of various BLM, ESA, CEQA and NEPA siting and desert planning processes will be required, and should be planned for in more detail. RETI should develop (or, if already developed, publicly explain) the exact procedures for incorporating DRECP's findings, and work with the regulatory agencies in reducing unnecessary barriers to smooth and collaborative processing of applications. RETI's work so far has certainly made progress in clearing the path to accelerated development of alternative energy, but if not considered in a larger and more unified legal and regulatory context, considerable difficulties will arise as specific facilities move through the queue for review and approval and face multiple players on the field.

Out of State Resources

California will clearly rely to some extent on electrical power transmitted from other states, and the RETI report, in the absence of environmental data for those sources, assigns them the median California CREZ environmental score. Comparable data for out of state sources exist, and should be included at the earliest opportunity. Otherwise, California may come to rely on power from renewable generation sites that would not meet in-state standards, and may encourage harm to important resource values in neighboring states. One example of this is the proliferation of concentrating solar plant applications in the arid Amargosa Desert, east of Death Valley National Park, that may propose to use wet cooling, which would not meet California's announced restrictions on this method of cooling and would threaten fragile natural systems dependent on scarce groundwater resources. The reliance on extra-state non-complying sources may well cheapen the cost of reaching California's RPS goals, but, as in the past case of Los Angeles utilities contracting for coal fired power from the Four Corners region, reaching local goals through environmentally questionable means in distant locales would be a false achievement. The remedy is to ensure that adequate information about extra-state generation sources is included.

It is also exceedingly troubling to AC that the BLM processes for solar facility siting approvals are not coordinated across state borders. The many facilities proposed to be located in the Amargosa Valley in Nevada are just across the state line, are in the Amargosa River drainage, and if not carefully permitted, will adversely affect resources that The Conservancy wishes to protect.

Scenic and Cultural Values

RETI does not include consideration of scenic or Native American cultural values in rating CREZs or transmission corridors. Methodology and data to support analyses of these values exists and should be included in the RETI process. The lack of even qualitative values placed on irreplaceable scenic vistas – for example Route 127 from Baker north to Shoshone – means that uniquely spectacular desert vistas may be permanently marred with industrial plants irrespective of their contribution to the state's natural beauty. The communities served by the Amargosa Conservancy rely on tourism to survive. Marring a beautiful and

largely unscathed vista on the approach to the Tecopa basin will clearly detract from the tourism resources of the region. These resources need to be specifically considered by RETI.

Areas that contain concentrations of Native American artifacts as well as reminders of California's vibrant history since the Spanish mission period should likewise be considered and preserved. Information is available about these resources, but has not been included in the RETI reports to date.

One of the difficulties posed by even well motivated efforts to accelerate or partially abbreviate the usual processes required to site significant industrial facilities is that site-specific values and conditions are not adequately considered. Despite extensive efforts, RETI has understandably fallen prey to this gap, especially in terms of cultural and visual resources, which, though difficult to value, are clearly important.

The Amargosa Conservancy appreciates this opportunity to comment on the RETI process. We will be happy to discuss with the panel any of the matters we have raised and look forward to further engagement with RETI as it moves forward into future phases.

Sincerely,

Brian Brown
Resource Advocate, Amargosa Conservancy